

# UPDATE

Newsletter of the League of Women Voters of Los Alamos

League of Women Voters of Los Alamos

P. O. Box 158, Los Alamos, NM 87544

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## Calendar

October 3 Candidate Forum, UNM/LA, 7 p.m. (6:30 for refreshments)

October 9 Early voting begins

October 16 Lunch with a Leader, Linda Daly, Graves Hall of United Church, 11:45 a.m.

October 19 Gubernatorial Forum

October 23 Board meeting, White Rock Library, noon

November 6 **Election Day** 

November 14 Action meeting with Dick Mason, 1372 47th St., Los Alamos, 7 p.m.

November 27 Board meeting, White Rock Library, noon



Photo of Linda Daly courtesy of <u>LinkedIn</u>.

## Lunch with a Leader: Linda Daly

On October 16, again at Graves Hall at the United Church at 11:45 a.m., Linda Daly will be our speaker. Daly has been the CEO of The Family YMCA since 1999.

Prior to that she served on the Y's board of directors for two years. The Family YMCA is one of the largest nonprofit providers of youth, family, and wellness programs and opportunities in our region. Daly is retiring at the end of October after 20 years of service. She will talk about the Y and other nonprofits, their needs, and the good they do for our community.

There will be no Lunch with a Leader program in November; the next one will be held on December 11.

Karyl Ann Armbruster

## Come Meet the Candidates

The second LWVLA candidate forum will be at UNM-LA at 7 p.m., with refreshments and conversation with the candidates at 6:30 p.m. on Wednesday, October 3. The candidates for NM House District 43, magistrate judge, municipal judge, and sheriff will participate as well as the Los Alamos County Assessor, who is unopposed.

County Councilor candidates were present at the forum on September 27. A <u>video of the forum is</u> available online thanks to PAC8.

Update, September 2018

## **Co-President's Message:** Why the Courts Matter

With the names Garland, Gorsuch, and Kavanaugh in your thoughts, you probably don't need to be reminded that the courts matter. They may be the least sensational of our three branches of government, and they may be the last to weigh in on important issues, but we should never forget their impact.

Two recent examples remind us of their influence: the New Mexico Supreme Court's verdict on straight-party voting and the U.S. Supreme Court's ruling to close a loophole that allowed so-called "dark money" to infiltrate election donations anonymously.

First, the New Mexico ruling, which is relatively simple and straightforward. Secretary of State Maggie Toulouse Oliver had announced that she was going to reinstate the option of straight-party voting for the upcoming election in November 2018. She argued that many people would find that it simplified voting, but her opponents felt that it would also mean that voters might skip voting for other ballot items like amendments, bonds, and judges. The NM Supreme Court ruled against her unanimously, saying that only the legislature could make that change.

The second example, the U.S. Supreme Court's verdict, was quite remarkable. In this highly partisan time, I was astonished to read that the Court unanimously agreed to close a loophole in election laws that has existed since Citizens United (2010) allowed non-profit groups to run political ads and keep their donors anonymous. The suit was brought by Citizens for Responsibility and Ethics in Washington. The decision allows groups to continue spending unlimited money on political ads, but now those groups must reveal the names of all contributors who gave more than \$200 in a year.

According to National Public Radio's Peter Overby, "The top four spenders identified by Issue One [as donors of dark money] are the U.S. Chamber of Commerce, the mainstream conservative Crossroads GPS, the Koch network's Americans for Prosperity and the National Rifle Association. Issue One says that collectively, the four groups pumped at least \$357 million into elections between 2010 and 2016." Issue

One is a nonpartisan, nonprofit organization that seeks to reduce the role of money in politics.

Is there hope for keeping our society from becoming an outright plutocracy? Perhaps—but we should watch carefully.

Rebecca Shankland

## DC Statehood: A Question for All States to Consider

A group of Los Alamos League members were treated to an informative evening on Thursday, September 20, with Yilin Zhang, who came from Washington DC to explain the recent proposal to achieve statehood for the residential and commercial parts of the city. Tom and Becky Shankland hosted the event.

The citizens of DC voted in 2016 to petition Congress for statehood, raising this issue yet again. The League of Women Voters supported full rights for DC citizens in 1920, shortly after the League was formed (when women gained the right to vote). Not till 1961 was the 23rd Amendment ratified so that District citizens could vote for the President and Vice President of the United States. But still they lack Congressional representation except for a single non-voting member of the House of Representatives (currently, Eleanor Holmes Norton).

Washington DC has more than 700,000 residents, more than either Vermont or Wyoming. Its workforce is 69% non-governmental. It has a mixture of African-American, white, Hispanic, and Asian residents. It has a fully functioning government with three branches—legislative, executive, and judicial—as do all the states. Their mayor and council pass budgets and laws, but these must be approved by Congress. Some of the laws they have passed, such as strict gun control, have been overturned by Congress.

In addition, DC residents pay more in taxes than do 22 states despite their lack of representation.

DC Statehood could be passed by majority vote in Congress; no Constitutional Amendment is required.

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As she spoke, Xilin gave us a sense of how deprived and frustrated DC residents feel: their slogan is "Fixing the Hole in American Democracy" and the group was certainly reminded of the American Revolution slogan of "Taxation without Representation."

Anyone wanting to sign a petition in support of DC Statehood will find one at several League upcoming events or may contact me by email at <a href="mailto:rebecca.shankland(AT)gmail(DOT)com">rebecca.shankland(AT)gmail(DOT)com</a>. For more information on the issue, go to <a href="https://www.lwvdc.org/dcstatehoodtoolkit">https://www.lwvdc.org/dcstatehoodtoolkit</a>.

Rebecca Shankland

## Meeting with LWVNM Action Chair Dick Mason

Dick Mason, the leader of the state League's lobbying effort, is coming to Los Alamos on November 14 to explain the League's goals for the next legislative session. We will meet at 7 p.m. at Rosmarie Frederickson's house, 1372 47th St. in the Western Area, to hear Dick's presentation, ask questions, and enjoy a glass of wine or beer. These are the priorities chosen by the Action Committee for the 2019 session and approved by the state board:

- Tax reform and funding—tax reform is going to be a major focus of the 2019 session.
   We believe it is key to creating the funding structure that would enable action on many of our other interests, including education and health care.
- Automatic voter registration/same day voter registration/extend voter registration period.
- Ask the legislature to consider the Iowa redistricting model, which retains some legislative authority.
- Ethics Commission enabling legislation.
- Legislation to enshrine a woman's right to choose. Currently, if Roe v Wade is overturned, current state law criminalizing abortion will be the rule.

Barbara Calef

# September Lunch with a Leader: Stephanie Nakhleh and Dina Pesenson Discuss Parks and Recreation Board and Herbicide Spraying

### **Parks and Recreation Board**

Stephanie Nakhleh grew up catching snakes in Pajarito Acres, sort of a Huck Finn childhood. She then lived away from Los Alamos but has now returned and is the current Chair of the Parks and Recreation Board, which is an advisory board for the County Council.

She discussed some of the issues the board is asked to address. A recent big issue they were involved with was the recreation bond. Nakhleh emphasized that the election was not on the merits of the projects themselves but whether to raise money for a suite of projects via a tax increase. After the bond was narrowly voted down, the Council found money in the Capital Improvement Projects (CIP) funds to pay for some of the projects.

The board has also been involved with some uncontroversial things, like the ballpark assessment, where they studied the available ball fields and determined that there was no need to spend CIP funds on increasing capacity or other big expenditures, though there were some fields that could use some maintenance.

(continued on page 4)



Stephanie Nakhleh enjoying the beautiful outdoors.

The County has adopted many plans that touch on parks and recreation: an Open Space Plan, a Trails Management Plan, a Tourism Strategic Plan, and a Comprehensive Plan. These plans don't all talk to each other and budgets, in Nakhleh's view, don't always reflect the priorities stated in the plans.

The board has also been involved with:

- fire mitigation in Walnut and Bayo canyons,
- the Flow Trail proposal, and
- the pilot canyon restoration in Graduation Canyon. This canyon is a lovely wetland but it has been eroding and needs work to reduce head cuts, or abrupt vertical drops, caused by urban runoff.

They've also accomplished a lot of good work with better trail signage and replacement of aging kiosks.

Nakhleh is concerned that the County budget hasn't met the promises of the Comprehensive Plan.

There's only one employee managing all of our open space. When the board asked him what he'd do with more money, he said he'd like to hire a blue-collar workforce to clean up trash, bear damage, and sign defacement. He'd also love to hire a volunteer coordinator: there's a lot the County could do with volunteer labor if there was someone to manage it.

When Nakhleh has discussed these matters with the County Councilors, she has been given such responses as, "Stop asking the government to take care of everything," "Rely more on volunteers," and "People like the trails the way they are."

Then Nakhleh moved on to the big topic: the proposed Flow Trail. A flow trail is a gravity driven, single-use bicycle trail (bicycles only, no hikers or horses) where you mostly coast downhill; it also has features like banked turns and humps to control speed. It's supposed to be family-friendly, not a high-speed bombing run.

The ski hill seems like the obvious choice for such a trail—but we don't own it, plus it's too steep: it's one of the steepest ski areas in the country.

The county hired Mountain Capital Partners to investigate eight different possible corridors: Three of the initial eight are on DOE property and the DOE won't approve a flow trail. The list of the eight sites

and their rankings are all available <u>online</u> on the county's website as a pdf file.

Most of the controversy has focused on Bayo Canyon. There the consultant determined that the south slope, the initial flagged corridor, ranks the lowest of the five county-owned corridors investigated. That is the one adjacent to the stables, and the one the equestrian community has been strongly opposing. However, Bayo's north slope ranked highest of the LAC-owned corridors.

The current status is that Mountain Capital Partners will present its top choices to the public at an upcoming meeting—no date is set yet. Then they'll work with the County and the public to narrow the list down to a single site, and will present that site to the public before proceeding.

Nakhleh commented, "People have really different attitudes toward change." Some people want Los Alamos to stay a small sleepy mountain town, with no one else on the trails. Others want hotels and tourism so Los Alamos can be "the next Moab," or want to see the town's residential population expand by 2,000 people in the hope of attracting more stores and restaurants. It's not an age thing: there are young people who want the town to stay small, and there are old folks who want to see tourism and hotels, as well as the other way around.

Nakhleh acknowledged there were valid feelings on both sides; but what bothers her is people putting out misinformation, or vandalism like defacing signs or putting broken glass on trails to puncture bicycle tires. There's a lot of this happening: her dog cut a paw on broken glass that seemed to have been deliberately placed. Chasing after vandalism, cleaning up the trails, and replacing signs is a huge resource drain, and the County needs to find a way to deal with it better; maybe get the police involved.

In the end, there are a lot of strong feelings because "This town really cares about its recreation and open space."

In the Q&A, someone wanted to know where we could see examples of a completed flow trail. Salida, Durango, and Ruidoso were mentioned. Someone else wanted to know whether the flow trail plan included

extending bus service so people could get back to the start of the trail. Nakhleh believes it does. And someone wanted clarification that the flow trail is not part of the CIP project list related to the Recreaction Bond; it is not.



Photo of Dina Pesenson courtesy of <u>LinkedIn</u>.

## **Herbicide Spraying**

Dina Pesenson, also a Parks and Recreaction Board member, but speaking here as a private citizen, then presented her findings on the County's weed spraying operations.

She first got involved when she saw a sign saying they

were going to spray Urban Park the day before the Mountain Elementary picnic there. That didn't seem right. But the County does a lot of this "boom spraying," meaning spraying a large area to kill all the weeds there, in both spring and fall. They do "spot spraying" year-round.

Areas sprayed include playgrounds near play equipment; edges along paths, sidewalks and roads; grassy fields in parks; tennis courts; bases of trees; and rockscaping.

Spraying is done by the Parks and Recreation Department, the LAPS, and the Public Works Department (along roads). The County puts up signs warning people a few days before spraying, but other organizations don't.

Pesenson watched them spray a two-meter swath along Sandia: they hit people's trees, which later died, and sprayed in the face of barking dogs. Weed spraying over large areas (boom spraying) is also called "chemical mowing" and is supposedly not legal for public entities, but County organizations are doing it regularly because it's cheaper than mowing.

There are three main herbicides used: Roundup (Glyphosate); 2,4-D; and Dicamba. Pesenson expressed concerns about glyphosate building up in people's bodies because of its use on crops. 2,4-D can cause plant cells to grow out of control, and in humans, it's a possible carcinogen and endocrine

disruptor. Dicamba may be linked to non-Hodgkin's lymphoma.

Pesenson said that for herbicides, the burden of proof is on the public to prove something is unsafe before it can be withdrawn; there's no need to prove something safe before it's used, she added.

Someone asked whether the County had a central person who could be contacted for information about future spraying. Pesenson said no, there is no such person and it's hard to get that information. In fact, she has often seen people spraying somewhere and the Parks and Recreation Department, the schools, and Public Works all deny that they're the ones doing it. So, you can't necessarily find out who's responsible for spraying. Also, the lack of a central person coordinating spraying means that there's no training or safety. The County insists all their sprayers have been trained, but Pesenson sees people spraying with no protective equipment whatsoever, getting Roundup all over themselves and anyone walking nearby.

Akkana Peck

## Improving Early Childhood Education in New Mexico

Perceiving improved early childhood education to be essential to combatting poverty and raising the state's ranking in education, the LWVLA, the Los Alamos Branch of AAUW (American Association of University Women), and Searchlight New Mexico organized a forum on early childhood education that was held on September 6. The goal was to enlighten the participants about the problems and potential solutions to aid us in lobbying our government.

Charles Sallee, Deputy Director of the New Mexico Legislative Finance Committee (LFC), responded to questions from Searchlight's Executive Editor Sara Solovitch about the importance of early childhood education and the effectiveness of the programs utilized in New Mexico. The Legislative Finance Committee employs program evaluators to assess the finances and effectiveness of state-funded programs, among other responsibilities.

The benefits of providing a safe, healthy environment and appropriate learning opportunities for young children have been well-documented. New Mexico spends significant funds to address the issues that place the state at the bottom of child well-being rankings, but Sallee said that lack of coordination among the four agencies involved, (1) the Public Education Department, (2) the Department of Health, (3) the Human Services Department, and (4) the Children, Youth, and Families Department, results in inadequate oversight. He supports creating a new department for early childhood education and/or reviving the Children's Cabinet, which was created during the Richardson Administration. He also stressed the need for an action plan.

Sallee said that there are evidence-based programs to address every concern. He wants the legislature to decide which problems they want to solve to determine where to allocate the funds. If they want to reduce teen pregnancy, they should invest in a program in the four counties where the rate is the highest. If they want to change educational outcomes, he said, they should invest in Pre-K; to help families afford childcare, they should put money into childcare assistance.

Other complications have arisen when evidence-based programs are not utilized or the departments wait too long to act; as a result intervention becomes much more expensive and less successful. Sometimes it is difficult to convince people to try a new approach, he noted.

Sallee briefly addressed the budget concerns, stating that we need broad tax reform. The state has a volatile



Photo of Charles Sallee courtesy of UNM.

revenue stream due to changes in oil prices and relies heavily on gross receipts taxes, which is very regressive.

He is optimistic that the state can improve the outlook for its children. He noted that not all children need to participate in all programs. With a population of 2.1 million people, small focused improvements can make a big difference.

#### Discussion

The audience numbered about 70 and included young mothers, teachers, and community leaders. Following the presentation and time for questions, they broke into small groups to discuss one of three topics:

- 1. What do we want the legislature to do?
- 2. What do we want the executive branch to do?
- 3. What do we want the schools to do?

These are the top priorities chosen for each level of government:

- The first priority for the legislature is to raise pay for qualified early education teachers. The legislature should also reorganize services and responsibilities at the state and local levels and ensure that early childhood education programs are based on evidence of effectiveness.
- The executive should budget funds to raise ALL teacher pay and improve training for early childhood education teachers. Oversight and adherence to standards for all facilities, including child care as well as education programs, should be improved. Home visiting programs and child care should be made available for all, with a sliding scale for child care payments.
- The schools should coordinate with local providers; provide Head Start for children aged three to five; and arrange for more inclusion for children with special needs in day care.

Finally, Billie Blair, the facilitator for the group discussion, asked the attendees to raise their hands to indicate which revenue sources should be used to pay for early childhood education programs. The list of financial options was taken from the list Judge Singleton included in her recent court ruling concerning New Mexico education. "Access the General Fund" received the most votes, while "access

the Land Grant Permanent Fund" and "increase or restructure gross receipts taxes method" tied for second place.

Here is the link to the YouTube video of the forum, filmed by PAC8: <a href="https://www.youtube.com/">https://www.youtube.com/</a> watch?v=ojlYFwKrhss.

For Searchlight NM's report of the program, see <a href="http://searchlightnm.com/2018/09/07/spend-wisely-to-boost-child-well-being-finance-official-says/">http://searchlightnm.com/2018/09/07/spend-wisely-to-boost-child-well-being-finance-official-says/</a>.

The September AAUW newsletter includes a report on the forum by Carol Neal: <a href="https://losalamos-nm.aauw.net/newsletter/current/">https://losalamos-nm.aauw.net/newsletter/current/</a>.

Barbara Calef

## National Voter Registration Day Brings Out the Registrars

September 25 was declared National Voter Registration Day, so the League, PEEC, and County Clerk did their best. At the Los Alamos Nature Center, League registrars Hedy Dunn, Rosemary Alme, Jody Benson, Ellen Mills, Terry Beery, and Rebecca Chaiken covered for most of the day.

In addition, Los Alamos Hilltalker Sonyia Williams asked the League to register voters at the high school during a state-wide speech tournament on Saturday, September 22. For that event, Lynn and Mark Jones,



Rosemary Alme and Terry Beery register voters at the Los Alamos Nature Center on National Voter Registration Day. Cheryl Thrasher, Hedy Dunn, and Judy Buckingham participated.

Rebecca Shankland

## Observer Corps Reports

## **County Council**

This brief report is based on a detailed summary by Becky Oertel. Please see the Los Alamos County Website for the agenda packets and video: <a href="http://losalamos.legistar.com/Calendar.aspx">http://losalamos.legistar.com/Calendar.aspx</a>.

At the August 28 meeting the Council passed a resolution authorizing the application to the New Mexico Department of Transportation (NMDOT) for an estimated total amount of \$3,684,221 to fund the administrative, operating, and capital needs of Atomic City Transit; committing to the local match in the amount of \$1,644,841 to fund the Section 5311 Transit Program for federal FY20.

It was announced that the County prepares and submits an Infrastructure and Capital Improvement Plan (ICIP) to the State by September 4, 2018. Generally, a project must appear on this list if the County expects to have any state funding considered for that project. With limits in New Mexico revenues, very little consideration will be given to projects beyond the top five listed:

- 1. White Rock Treatment Plant Replacement;
- 2. Tourism way finding signage;
- 3. Jemez Mtns. Regional Fire Protection, Phase 2;
- 4. Urban Multiuse Trail; and
- 5. Bayo Lift Station Replacement Project.

The Council was asked to approve the sale of county-owned property Lot 5C on 20th Street to Verdad Real Estate, Inc. from TX for construction of a drive-thru Starbucks. The appraisal is \$355,000, and proposed purchase price is \$500,000. Fiscal implications are as follows: if the sale goes thru, it will most likely require intersection improvements—crosswalks and a possible signal intersection at a cost of \$350,000 to \$500,000. Residents have long requested a signal to help pedestrians from bus and other business cross the

street to access Ashley Pond and the rest of downtown.

There was extensive discussion from Council and the public regarding:

- the necessity and cost of a traffic signal;
- appropriateness of having a third Starbuck's in town; and
- how will the rest of that property be developed? Councilor O'Leary expressed the desire to have a single development that works as a unit. County Manager Burgess responded that the County received bids for all five lots and will work on selling them, but received no proposal for developing all five parcels as one. It's difficult, sometimes illegal, to discuss these proposals publicly.

The motion to sell the parcel to Verdad passed 6 to 1.

At the September 4 meeting, County Manager Burgess reported that the State generates tax rates at the beginning of September and counties then have only five days to adopt those rules in order to get tax bills out by October 1, as required by the State. He announced that the residential rate in Los Alamos County was going down by 0.58% and the non-residential went up by 0.01%. The levied taxes are lower than what was voted on by the Council.

Becky Oertel

#### **Board of Public Utilities**

The Board of Public Utilities (BPU) held its regularly scheduled monthly meeting on Wednesday, September 19. Staff from the Department of Public Utilities sought approval from the BPU to award an Advanced Metering Infrastructure contract to purchase and install smart electric meters, communication modules for gas and water meters, and additional required advanced metering infrastructure. After a lengthy discussion, the item was tabled until the County attorney could gather additional information and clarification on privacy issues, specifically whether the customer data would be subject to New Mexico State Sunshine laws dealing with IPRA (Inspection of Public Records Act).

Department staff also requested a change order and budget revision for the drilling of the new drinking water well—Otowi Well #2. Problems were encountered during the drilling process when the contractor encountered a layer of basalt that had numerous fissures. Drilling of the well is anticipated to be completed in November.

Lastly, the BPU approved the department to enter into a new low-interest loan with the State of New Mexico in the amount of \$14 million to \$17 million for the purpose of replacing the White Rock wastewater treatment plant. This item will be considered by the Council for approval on September 25. (The Council has voted to approve the sewer rate increase needed to pay for the new wastewater treatment plant.)

Julie Williams-Hill

## LWVLA Board of Directors

Officers:

 Co-presidents: Barbara Calef and Rebecca Shankland

• 1st Vice President: unfilled

• 2nd Vice President: Leslie Wallstrom

• Treasurer: Kathleen Taylor

• Secretary: Rosmarie Frederickson

#### Directors:

Reservations: Amy Birnbaum

Lunch with a Leader: Karyl Ann Armbruster

• Director-at-Large: Ellen Mills

• Director-at-Large: Akkana Peck

 Webmaster and Social Media: Julie Williams-Hill

Newsletter: Sandra West

Publicity: Jody Benson

• Voter Services: Lynn Jones

#### Off-board Directors:

• Arrangements: unfilled

• Fundraising: *unfilled* 

• Membership: Rebecca Shankland

• Nominating Committee: *unfilled* 

 County Council Observers: Lynn Jones and Becky Oertel

• BPU Observer: Julie Williams-Hill

If you would like to join the League, fill out and submit the membership form on page 9.



# LEAGUE OF WOMEN VOTERS OF LOS ALAMOS MEMBERSHIP FORM

Mail to: LWV Los Alamos P.O. Box 158

Los Alamos, NM 87544

Name:		Date:
Address:		
Phone(s):	E-mail	
Check here to receive	e our local newsletter Updat	te as an electronic file, saving us postage
OR Check here if yo	ou prefer the newsletter maile	ed in hard copy.
<del></del>	_	endly reminders of upcoming events by e-mail.
to LWV-Los Alamos a Single membership:	and all are now tax-ded	
Single Sustaining me		• • • • • • • • • • • • • • • • • • •
		-441
	ng membership (two+ people	e at the same address): \$93
Contribution: \$		
<b>Interests and Ways to</b>	Help the League (chec	k as many as apply)
Topics of Interest		Ways to Help with League Activities
Affordable Housing Local Government		Set up Refreshments at Forums
Local Government		Observer Corps (County Council, DPU, etc.)
Education		Nominating Committee
Elections, Voting Rig Water Issues	ghts	Voter Guides Committee
Water Issues		Voter Registration
Land Use		Publicity
Health Care		Website, Social Media
Money in Politics		Newsletter
Sustainability		Membership
Living Wage		Fund-raising
Public Transportation		Budget Committee for LWV
Environment		Lunch with a Leader (assistance)
Other topics (please s	suggest):	Fund-raising Committee for LWV
		Participate in board meetings or join the board

The League of Women Voters, a nonpartisan political organization, encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

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